

ORIGINAL
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(30)
12-10-01
Se

TYRONE P. JAMES,

Plaintiff : :
: **No. 1:CV-01-1015**

v.

: Judge Kane

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**YORK COUNTY POLICE
DEPARTMENT, AGENT JAMES H.
MORGAN, DET. RICHARD
PEDDICORD, DET. RAYMOND E.
CRAUL, SGT. GENE FELLS, DET.
KESSLER, C/O BAYLARK,**

Defendants :

**FILED
HARRISBURG, PA**

DEC 07 2001

**MARY E. D'ANDREA, CLERK
Per *J.H.P.*
*Deputy Clerk***

**MOTION FOR ENLARGEMENT OF TIME
TO RESPOND TO PLAINTIFF'S COMPLAINT**

Defendants Morgan, Craul, Fells, and Kessler, by their attorneys, hereby respectfully move the Court, pursuant to Fed. R. Civ. P. 6(b), to enlarge the time to respond to Plaintiff's Complaint and in support state as follows:

1. The Complaint in the above captioned case was sent to Defendants Morgan, Peddicord, Craul, Fells and Kessler on October 11, 2001.
2. Undersigned counsel was assigned the case on October 24, 2001.
3. The deadline for the return of the Waivers of Service was November 12, 2001.
4. Representation letters were sent by undersigned counsel to Defendants Morgan, Peddicord, Craul, Fells and Kessler on November 8, 2001.

5. Defendants Morgan, Craul, Fells and Kessler did not return their Representation Letters, indicating that they wished to be represented by undersigned counsel, until after the November 12, 2001 deadline to return the waivers of service.
6. The waivers of service were filed with the Court for Defendants Morgan, Craul, Fells and Kessler and an entry of appearance filed with the Court on behalf of these Defendants on December 7, 2002.
7. Defendant Peddicord has not, as of this date, returned his Representation letter.
8. A response to the Complaint is due on December 10, 2001.
9. Because undersigned counsel did not receive signed Representation letters from Defendants Morgan, Craul, Fells and Kessler until late November 2001, she could not prepare a timely response to the Complaint on their behalf.
10. For these reasons, undersigned counsel requests a twenty (20) day enlargement of time, until December 31, 2001, to file a response to the Complaint.

WHEREFORE, Defendants Morgan, Craul, Fells and Kessler request that the Court grant an enlargement of time, until December 31, 2001, to file a response to the

Complaint.

Respectfully submitted,

D. MICHAEL FISHER
Attorney General

By:

Linda S. Lloyd
LINDA S. LLOYD
Deputy Attorney General
I.D. #66720

SUSAN J. FORNEY
Chief Deputy Attorney General
Chief, Litigation Section

COUNSEL FOR DEFENDANTS
MORGAN, CRAUL, FELLS AND
KESSLER

Dated: December 7, 2001

IN THE UNITED STATES DISTRICT COURT
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DEPARTMENT, AGENT JAMES H.

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PEDDICORD, DET. RAYMOND E.

CRAUL, SGT. GENE FELLS, DET.

KESSLER, C/O BAYLARK,

Defendants :

CERTIFICATE OF SERVICE

I, Linda S. Lloyd, Deputy Attorney General for the Commonwealth of Pennsylvania, hereby certify that on December 7, 2001, I served a true and correct copy of the foregoing Motion for Enlargement of Time to Respond to the Complaint, by causing it to be deposited in the United States Mail, first-class postage prepaid to the following:

Tyrone P. James
York County Prison
3400 Concord Road
York, PA 17402

Donald L. Reihart
Law Office of Donald L. Reihart
2600 Eastern Blvd., Suite 204
York, PA 17402



LINDA S. LLOYD
Deputy Attorney General